

Message Text

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62
ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 SCA-01 CIAE-00 INR-07 NSAE-00 SS-15

CPR-01 /040 R

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R 091708Z AUG 75
FM SECSTATE WASHDC
TO AMEMBASSY MOSCOW
INFO AMCONSUL LENINGRAD

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E.O. 11652: GDS
TAGS: CVIS, UR, CGEN, PINT

SUBJECT: PUBLIC ACCESS TO EMBASSY

REFERENCE: MOSCOW 11143

1. DEPT SHARES EMBASSY'S CONCERN ABOUT PERENNIAL ACCESS
PROBLEM AND BELIEVES DEMARCHE TO USA DIVISION MFA WOULD BE
TIMELY AND APPROPRIATE.

2. WE HAVE THREE PROBLEMS WITH TEXT OF NOTE PROPOSED REF-
TEL:

A. ALTHOUGH WE ARE STILL EXAMINING QUESTION, WE NOTE THAT
ARTICLE 4 OF CONSULAR CONVENTION DOES NOT PROVIDE SPECIFIC
GUARANTEE OF ACCESS OF SOVIET CITIZENS TO EMBASSY (ART. 12
OF COURSE GUARANTEES ACCESS OF US CITIZENS.)

B. SAME PARA OF NOTE, NEXT SENTENCE, WE QUESTION WHETHER
IT IS DESIRABLE TO FORCE MFA TO CONFIRM OR DENY ASSURANCES
OF QUOTE UNRESTRICTED END QUOTE ACCESS.

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C. REFERENCE TO PRACTICE OF AMERICAN AUTHORITIES MAY RAISE

SIDE ISSUES, SINCE SOVIET GRIEVANCE HERE IS REVERSE OF OUR GRIEVANCE IN USSR--SOVIETS WANT MORE PROTECTION.

3. WE SUGGEST FOLLOWING REWORDING OF THIRD PARAGRAPH OF DRAFT NOTE PROPOSED REFTEL: THESE DENIALS OF CONSULAR ACCESS VIOLATE STANDARD INTERNATIONAL PRACTICE. THE ACTIONS BY THE MILITIAMEN ARE ALSO MARKEDLY OUT OF CHARACTER WITH WELCOME IMPROVEMENTS IN OTHER ASPECTS OF RELATIONS BETWEEN THE TWO GOVERNMENTS. DESPITE PREVIOUS ASSURANCES FROM THE MINISTRY, APPROPRIATE MEASURES HAVE NOT BEEN TAKEN TO ENSURE REASONABLE CONSULAR ACCESS.

4. IN PRESENTING NOTE YOU MAY WISH TO POINT OUT ORALLY THAT US AUTHORITIES DO NOT INTERFERE WITH PERSONS WISHING TO VISIT SOVIET DIPLOMATIC ESTABLISHMENT FOR PEACEFUL PURPOSES. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSULAR SERVICES
Control Number: n/a
Copy: SINGLE
Draft Date: 09 AUG 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE189187
Document Source: CORE
Document Unique ID: 00
Drafter: LWILLEMS
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750276-0206
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750865/aaaacfmy.tel
Line Count: 77
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 MOSCOW 11143
Review Action: RELEASED, APPROVED
Review Authority: morefirh
Review Comment: n/a
Review Content Flags:
Review Date: 02 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: WITHDRAWN <10 Jun 2003 by Morefirh, INA>; RELEASED <02 JUL 2003 by Morefirh>; RELEASED <02 Jul 2003 by Morefirh>; APPROVED <05 JAN 2004 by morefirh>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PUBLIC ACCESS TO EMBASSY
TAGS: CVIS, CGEN, PINT, UR, US
To: MOSCOW
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006